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OFFICE OF PETITIONS

In re Patent of :
Fred P. Beierle :
Application No. 10/669666 : DECISION
Filing or 371(c) Date: 09/23/2003 : ON PETITION
Attorney Docket Number: P-1427-001 :
:

This is a decision on the correspondence entitled "Petition for issuance in Name of Assignee After payment of the Issue Fee, filed February 1, 2007". The petition is properly treated under 37 CFR 3.81(b).

The Petition is **dismissed**.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Request for Reconsideration of Petition under [insert the applicable code section]". This is **not** final agency action within the meaning of 5 U.S.C. § 704.

Applicant files the instant petition and requests correction of the assignee name.

Applicable Law, Rules and MPEP

37 CFR 3.81(b) provides:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17 (i) of this chapter. (Emphasis supplied).

Analysis and conclusion

Applicant has failed to state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent. Applicant should file a Request for Reconsideration of Petition and include the statement.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Director for Patents
PO Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

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